

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

DOUGLAS A. WRIGHT,

Defendant.

DECISION AND ORDER
05-CR-72S

1. On July 9, 2007, the Honorable Hugh B. Scott, United States Magistrate Judge, filed a Report and Recommendation (Docket No. 39) recommending that Defendant's suppression motion (Docket No. 24) be granted.

2. On August 22, 2007, the Government filed Objections to Judge Scott's Report and Recommendation in accordance with 28 U.S.C. § 636(b)(1)(C) and Local Rule 72.3(a)(3). (Docket No. 45). On October 10, 2007, Defendant filed his Response to the Government's Objections. (Docket No. 49). This Court deemed oral argument unnecessary and took the matter under advisement on October 26, 2007.

3. This Court has thoroughly reviewed *de novo* Judge Scott's Report and Recommendation, the Government's Objections thereto, and the applicable law. Upon due consideration, this Court finds no legal or factual error in Judge Scott's Report and Recommendation, and it concurs in his conclusions. Accordingly, the Government's Objections are denied and this Court will accept Judge Scott's Report and Recommendation in its entirety.

IT HEREBY IS ORDERED, that this Court accepts Judge Scott's Report and Recommendation (Docket No. 39) in its entirety, including the authorities cited and the reasons given therein.

FURTHER, that the Governments Objections (Docket No. 45) are DENIED.

FURTHER, that Defendant's Suppression Motion (Docket No. 24) is GRANTED consistent with and for the reasons set forth in Judge Scott's Report and Recommendation.

FURTHER, that the Parties are directed to appear for a status conference on December 6, 2007, at 9:00 A.M.

SO ORDERED.

Dated: December 4, 2007
Buffalo, New York

/s/William M. Skretny
WILLIAM M. SKRETNY
United States District Judge